

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION

FILED

02 APR 26 PM 12:42

U.S. DISTRICT COURT  
N.D. OF ALABAMA

HORACE CROCKETT,

Plaintiff,

vs.

DOCTOR SEDEAT, et.al.,

Defendants.

CV 00-S-2999-NE

ENTERED

APR 26 2002

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on June 5, 2001, recommending that the claims concerning conditions of confinement against defendants Officer Gates, Sargent Brock, Captain Sticker and Lt. Hendon filed pursuant to 42 U.S.C. § 1983 be dismissed as frivolous under 28 U.S.C. § 1915A(b). The magistrate judge further recommended that the claims concerning inadequate medical care against defendants Dr. Sedeat, Officer Perkins and Officer Ozborn be transferred to the United States District Court for the Middle District of Alabama for further proceedings. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the claims concerning conditions of confinement against defendants Officer Gates, Sargent Brock, Captain Sticker and Lt. Hendon filed pursuant to 42 U.S.C. § 1983 are due to be dismissed as frivolous under 28 U.S.C. § 1915A(b) and the claims concerning inadequate medical care against defendants Dr. Sedeat, Officer Perkins and Officer Ozborn are due to be transferred to the United

13

States District Court for the Middle District of Alabama for further proceedings. An appropriate order will be entered.

DATED this 26<sup>th</sup> day of April, 2002.

  
UNITED STATES DISTRICT JUDGE